

REMARKS

Prior to entry of the amendment, Claims 1-31 are pending in the application. It is gratefully acknowledged that Claims 1-11 and 20-29 have been allowed. It is also gratefully acknowledged that Claims 16-19 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner has rejected Claims 12-15, 30 and 31 under 35 U.S.C. §102(b) as being anticipated by Yatsukawa (U.S. Patent 6,148,404).

Please add new Claims 32-35. No new matter has been added.

Regarding the rejection of independent Claims 12 and 30, the Examiner states that Yatsukawa anticipates these claims. Yatsukawa discloses a system using authentication information which is valid one-time.

Claim 12 of the present application recites “first authentication information to be used during next authentication request”, “a first enciphered message generated by enciphering the first authentication information with the first private key to the authentication server”, “a second enciphered message” received “from the authentication server in response to the first enciphered message”, and “a first session key” generated “by deciphering the second enciphered message with the first private key”. The first authentication information is used during a next authentication; Yatsukawa is a one-time authentication, and hence, its information is used for a present authentication, not a next authentication as recited in Claim 12. The first authentication information itself is also unique to the present invention, since, by definition, it contains information for a subsequent authentication, information that would not be used by a one-time authentication as disclosed in Yatsukawa. Based on at least the foregoing, withdrawal of the rejection of Claim 12 is respectfully requested.

Claim 30 recites “receiving an enciphered message from the authentication server”, and “acquiring a session key for secure communication with the mobile node by deciphering the

enciphered message with a private key previously shared with the authentication server”. The enciphered message, as used in Claim 30 and also as used in the specification and Claim 12, is generated from first authentication information. As argued above with respect to Claim 12, the first authentication information is unique to the present invention. Based on at least the foregoing, withdrawal of the rejection of Claim 30 is respectfully requested.

Regarding the rejection of dependent Claim 13 under §102(b) as being anticipated by Yatsukawa, Claim 13 recites “the first authentication information includes a temporary identifier of the mobile node, a password for generating a private key to be used during next authentication, and a random number”. The Examiner cites Yatsukawa at col. 16, lines 45-52, and Fig. 2 element “A1”. First, element “A1” is merely a random number, not “a temporary identifier of the mobile node, a password for generating a private key to be used during next authentication, and a random number”. Second, col. 16, lines 45-52 only disclose a user identification name, and not a temporary identifier of the mobile node; a user name is not a mobile node identifier. Even if these two elements could be seen as disclosed by Yatsukawa, which they are not, the Examiner does not cite any element that anticipates “a private key to be used during next authentication”. Based on at least the foregoing, withdrawal of the rejection of Claim 13 is respectfully requested.

Regarding the rejection of dependent Claim 31, the Examiner uses a second reference to anticipate the claim under §102(b). Since a combination of references cannot be used in an anticipation rejection, this is an improper rejection. Based on at least the foregoing, withdrawal of the rejection of Claim 31 is respectfully requested.

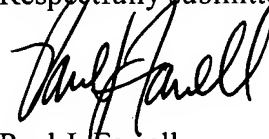
Finally, regarding the rejection of dependent Claim 31 under §102(b) as being anticipated by Yatsukawa, besides being improper as set forth above, Claim 31 recites “the enciphered message includes a temporary identifier generated by the mobile node during previous authentication, and a random number”. Yatsukawa does not use previous authentication information in a one-time authentication process. Based on at least the foregoing, withdrawal of the rejection of Claim 31 under §102(b) is respectfully requested.

Furthermore, for the reasons given above with respect to the independent claims, independent Claim 32 is believed to allowable over the prior art of record, along with dependent Claims 32-35.

Independent Claims 12 and 30 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 13-19 and 31, these are likewise believed to be allowable by virtue of their at least dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 13-19 and 31 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-35, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Paul J. Farrell
Reg. No. 33,494
Attorney for Applicant

DILWORTH & BARRESE
333 Earle Ovington Blvd.
Uniondale, New York 11553
Tel: (516) 228-8484
Fax: (516) 228-8516

PJF/MJM/dr